

AMENDED IN SENATE AUGUST 1, 2007

AMENDED IN SENATE JULY 18, 2007

AMENDED IN SENATE JUNE 28, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 527

Introduced by Assembly Member Torrico

February 21, 2007

An act to add Sections 15814.50 and 15814.51 to the Government Code, ~~relating to state buildings, and making an appropriation therefor. Code, and to amend Section 25401 of the Public Resources Code, relating to energy efficiency.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 527, as amended, Torrico. ~~State buildings: energy efficiency: state plan.~~*Energy efficiency.*

Existing

(1) *Existing* law requires all new public buildings to be models of energy efficiency, according to specified criteria, and requires the Department of General Services to consult with the State Energy Resources Conservation and Development Commission with respect to these criteria.

This bill would require the department, in partnership with the commission, to develop and adopt, on or before January 1, 2009, a state plan to include energy efficient technology in public buildings, according to specified criteria. It would require the department, with the cooperation of the commission, to begin implementation of the state

plan upon its adoption. It would also require the department, in conjunction with the commission, to report to the Legislature, on or before January 1, 2011, on the progress of the implementation of the state plan and its effectiveness in improving the energy efficiency of public buildings.

This bill would create the California Energy Efficient Technology Pooled Investment Fund in the State Treasury, which would be ~~continuously appropriated to~~ *administered by the Secretary of State and Consumer Services, upon appropriation by the Legislature*, for the procurement and implementation ~~of~~ *for* state-owned facilities of qualifying measures specified in the state plan. ~~It~~ *In addition to authorizing private monetary contributions to the fund*, it would require each state agency to deposit a specified percentage of its annual utility budget into the fund for these purposes, and would specify that all net savings resulting from the implementation of a qualifying measure ~~are~~ *would be* retained by the state agency implementing the measure.

(2) *Existing law requires the State Energy Resources Conservation and Development Commission to carry out studies, technical assessments, research projects, and data collection directed to reducing wasteful, inefficient, unnecessary, or uneconomic uses of energy, including, but not limited to, improved appliance efficiency.*

This bill would revise the subjects of the commission's studies, technical assessments, research projects, and data collection to include improved appliance efficiency and electrical device design.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) It is the intent of the Legislature to ensure
- 2 that the most efficient and reliable energy technology is available
- 3 in the marketplace.
- 4 (b) It is further the intent of the Legislature that state government
- 5 lead by example and demonstrate to the public the cost and
- 6 environmental benefits of implementing energy efficient
- 7 technology into daily life.
- 8 SEC. 2. Section 15814.50 is added to the Government Code,
- 9 to read:
- 10 15814.50. (a) (1) On or before January 1, 2009, the
- 11 Department of General Services, in partnership with the State

1 Energy Resources Conservation and Development Commission,
2 shall develop and adopt a state plan to include energy efficient
3 technology in public buildings. The plan shall include, but not be
4 limited to, the implementation of new emerging technologies
5 identified through the research conducted and successfully
6 completed through the Public Interest Energy Research Program
7 ~~administered~~ *administered* by the commission. In identifying the
8 technology to be included in the plan, the department shall solicit
9 input from both public and private entities.

10 (2) Upon the adoption of the state plan described in paragraph
11 (1), the Department of General Services, with the cooperation of
12 the State Energy Resources Conservation and Development
13 Commission, shall begin implementation of the state plan.

14 (3) The state plan shall not prohibit, limit, or supersede more
15 stringent green building requirements for public buildings.

16 (4) The state plan may be included in the multiyear plan required
17 pursuant to Section 15814.22.

18 (b) On or before January 1, 2011, the Department of General
19 Services, in conjunction with the State Energy Resources
20 Conservation and Development Commission, shall report to the
21 Legislature on the progress of the implementation of the state plan
22 and its effectiveness in improving the energy efficiency of public
23 buildings.

24 (c) This section shall not be construed to limit the plan to
25 technology developed through publicly funded programs.

26 SEC. 3. Section 15814.51 is added to the Government Code,
27 to read:

28 15814.51. (a) The California Energy Efficient Technology
29 Pooled Investment Fund is hereby created in the State Treasury,
30 ~~and is continuously appropriated to~~ *shall be administered by* the
31 Secretary of State and Consumer Services for the purposes of this
32 section.

33 (b) The fund shall consist of the following moneys:

34 (1) Notwithstanding any other provision of law, each state
35 agency, *as defined in Section 11000*, shall deposit into the fund 3
36 percent of its annual utility budget, as determined by the
37 Department of Finance based on actual energy expenditures from
38 the most recent fiscal year data. If the energy expenditures of an
39 agency are not known, the Department of Finance may estimate
40 the agency's deposit into the fund based on procedures specified

1 in the plan established pursuant to Section 15814.50 using a pro
2 rata formula or other simplified means.

3 (2) *Private monetary contributions.*

4 (2)

5 (3) All interest earned on moneys in the fund.

6 (c) ~~The~~ Upon appropriation by the Legislature, the secretary
7 shall make moneys in the fund available to state agencies based
8 on their pro rata share for the procurement and implementation
9 of qualifying measures as specified in the plan established pursuant
10 to Section 15814.50. The moneys shall be used exclusively for
11 state-owned facilities to fund technology projects not eligible for
12 financing from other sources.

13 (d) All net savings resulting from the implementation of a
14 qualifying measure shall be retained by the state agency
15 implementing the measure.

16 SEC. 4. Section 25401 of the Public Resources Code is
17 amended to read:

18 25401. The commission shall continuously carry out studies,
19 research projects, data collection, and other activities required to
20 assess the nature, extent, and distribution of energy resources to
21 meet the needs of the state, including, but not limited to, fossil
22 fuels and solar, nuclear, and geothermal energy resources. It shall
23 also carry out studies, technical assessments, research projects,
24 and data collection directed to reducing wasteful, inefficient,
25 unnecessary, or uneconomic uses of energy, including, but not
26 limited to, all of the following:

27 (a) Pricing of electricity and other forms of energy.

28 (b) Improved building design and insulation.

29 (c) Restriction of promotional activities designed to increase
30 the use of electrical energy by consumers.

31 (d) (1) Improved appliance efficiency and electrical device
32 design.

33 (2) For purposes of this subdivision, "electrical device" means
34 any unit of a system intended to carry electrical energy, including
35 raceways, conductors, conduit, wires, switches, and other devices.

36 (e) Advances in power generation and transmission technology.

37 (f) Comparisons in the efficiencies of alternative methods of
38 energy utilization.

39 The commission shall survey pursuant to this section all forms
40 of energy on which to base its recommendations to the Governor

1 and Legislature for elimination of waste or increases in efficiency
2 for sources or uses of energy. The commission shall transmit to
3 the Governor and the Legislature, as part of the biennial report
4 specified in Section 25309, recommendations for state policy and
5 actions for the orderly development of all potential sources of
6 energy to meet the state's needs, including, but not limited to,
7 fossil fuels and solar, nuclear, and geothermal energy resources,
8 and to reduce wasteful and inefficient uses of energy.

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